

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address  A. Cisneros 3403 Tenth Street, Suite 714 Riverside, California 92501 Telephone: (951) 682-9705 Facsimile: (951) 682-9707 Email: amctrustee@mclaw.org  <input checked="" type="checkbox"/> Individual appearing without attorney <input type="checkbox"/> Attorney for:	FOR COURT USE ONLY
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**UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA - RIVERSIDE DIVISION**

In re:  CAROL TERESA MALLIER,   Debtor(s).	CASE NO.: 6:17-bk-17871-MW CHAPTER: 7  <b>NOTICE OF SALE OF ESTATE PROPERTY</b>
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<b>Sale Date:</b> 04/10/2018	<b>Time:</b> 2:00 pm
<b>Location:</b> 3420 Twelfth St., Video Ctrm. 225, Riverside, CA 92501	

**Type of Sale:** ☒ Public ☐ Private **Last date to file objections:** 03/26/2018

**Description of property to be sold:**

Real Property located at 2396 S Palm Canyon Dr., Unit 22, Palm Springs, CA 92264

**Terms and conditions of sale:**

All Cash; As-Is; Where-As; Closing within 15 days of Hearing Date; Subject to Approval and Jurisdiction of the U.S. Bankruptcy Court. Please see contact information below for further details.

**Proposed sale price:** \$ 160,000.00

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

**Overbid procedure (if any):** Please see attached.

**If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:**

Hearing Date: April 10, 2018  
Time: 2:00 pm  
Courtroom: 225  
U.S. Bankruptcy Court  
3420 Twelfth Street  
Riverside, CA 92501

**Contact person for potential bidders (include name, address, telephone, fax and/or email address):**

Brian Thompson  
Steven Speier  
19800 MacArthur Blvd., Suite 820  
Irvine, CA 92612  
Telephone: 949-336-1665  
Email: brianthompsonre@gmail.com  
sspeier@glassratner.com

Date: 03/16/2018

**PROPOSED BIDDING PROCEDURES**

The Trustee requests that the Court approve the following overbid procedure:

- a. Potential overbidders must bid an initial amount of at least \$5,000 over the Purchase Price, thus, the initial overbid must provide a minimum of \$165,000 for the purchase of the Property. Minimum bid increments thereafter shall be \$1,000;
- b. Overbids must be in writing and be received by the Trustee on or before the day before the hearing;
- c. Overbids must be accompanied by certified funds in the amount of 3% of their overbid amount (the "Overbidder's Deposit");
- d. If the Buyer is not the successful purchaser, it shall be entitled to a refund of its deposit;
- e. In the event the successful overbidder fails to timely close escrow by reason of the successful overbidder's failure to immediately and unconditionally pay the Purchase Price as increased by overbid in cash or certified funds at close of escrow, the Overbidder's Deposit shall be non-refundable and the Trustee shall be released from his obligation to sell the Property to the successful overbidder;
- f. The overbidder must seek to acquire the Property on terms and conditions not less favorable to the Debtor's bankruptcy estate than the terms and conditions to which the Buyer has agreed to purchase the Property as set forth in the Purchase and Sale Agreement, including, without limitation to, the provision that competing bids must be on an all-cash basis, and any competing bidder must be obligated to perform within the same time frame that the Buyer would be obligated to perform under the Purchase Agreement;
- g. The Buyer's Deposit and any unsuccessful Overbidder's Deposit that is otherwise refundable shall be refunded within ten (10) days of the final bidding round; and
- h. In the event there are no overbids received by the Trustee, Buyer shall, subject to Court approval, be deemed the successful bidder, and the Estate's right, title and interest in the Property shall be sold to Buyer for the sum of \$160,000, as is, where is, without representations or warranties.

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

3403 Tenth St., Suite 714, Riverside, CA 92501

A true and correct copy of the foregoing document entitled: **NOTICE OF SALE OF ESTATE PROPERTY** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On *(date)* 03/16/2018, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- Arturo Cisneros (TR) amctrustee@mclaw.org, acisneros@iq7technology.com
- Cassandra J Richey ecfccca@ecf.courtdrive.com
- Seema N Sood seemasood@gmail.com, sunitansood@hotmail.com
- United States Trustee (RS) ustspregion16.rs.ecf@usdoj.gov

☐ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On *(date)* 03/16/2018, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Judge: The Honorable Mark S. Wallace, United States Bankruptcy Court, Ronald Reagan Federal Building, 411 West Fourth Street, Suite 6135, Santa Ana, CA 92701

☐ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on *(date)* \_\_\_\_\_, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

03/16/2018      Mayra Johnson  
Date                      Printed Name

Signature